

(Document No. 3, p.2) (emphasis added).

Plaintiff has subsequently failed to submit the required filing fee or an amended Application to Proceed without Prepayment of Costs or Fees. Instead, on August 27, 2013, more than a month after Judge Conrad's "Order" (Document No. 3), Plaintiff filed a request for an extension of time, until April 2014, to pay her filing fee and to "give proper attention to the case." (Document No. 4).

The undersigned granted with modification Plaintiff's "Motion For Extension Of Time To Pay Filing Fee" (Document No. 4) on September 12, 2013. (Document No. 5). Specifically, the undersigned ordered that "Plaintiff shall pay her filing fee to the Court, and serve the summons and complaint on Defendant, on or before **February 1, 2014.**" (Document No. 5).

To date, there is no indication that Plaintiff has paid her filing fee or served Defendant in this action. Plaintiff has failed to timely abide by this Court's orders, or to otherwise prosecute her lawsuit. Under these circumstances, the undersigned finds that dismissal is appropriate.

### **RECOMMENDATION**

**FOR THE FOREGOING REASONS**, the undersigned respectfully recommends that Plaintiff's "Complaint" (Document No. 1) be **DISMISSED** and this matter **CLOSED**.

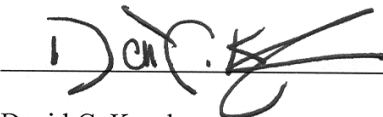
### **TIME FOR OBJECTIONS**

The parties are hereby advised that pursuant to 28 U.S.C. § 636(b)(1)(C), and Rule 72 of the Federal Rules of Civil Procedure, written objections to the proposed findings of fact, conclusions of law, and recommendation contained herein may be filed within **fourteen (14) days** of service of same. Responses to objections may be filed within fourteen (14) days after service of the objections. Fed.R.Civ.P. 72(b)(2). Failure to file objections to this Memorandum and Recommendation with the District Court constitutes a waiver of the right to *de novo* review by the District Court. Diamond v. Colonial Life, 416 F.3d 310, 315-16 (4th Cir. 2005).

Moreover, failure to file timely objections will preclude the parties from raising such objections on appeal. Diamond, 416 F.3d at 316; Page v. Lee, 337 F.3d 411, 416 n.3 (4th Cir. 2003); Snyder v. Ridenhour, 889 F.2d 1363, 1365 (4th Cir. 1989); Thomas v. Arn, 474 U.S. 140, 147-48 (1985), reh'g denied, 474 U.S. 1111 (1986).

**IT IS SO RECOMMENDED.**

Signed: February 5, 2014

  
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David C. Keesler  
United States Magistrate Judge

